

UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF NEW YORK

-----X  
CAPSTAR RADIO OPERATING COMPANY, INC. f/b/a  
WLTW LITE FM

**REPLY TO ANSWER  
AND COUNTERCLAIMS**

*Plaintiff*

No. 08CV 3881

*-against-*

UNITED CREDIT ADJUSTERS, INC. a/k/a UNITED  
CREDIT ADJUSTORS, INC.

*Defendant*

UNITED CREDIT ADJUSTERS, INC. a/k/a UNITED  
CREDIT ADJUSTORS, INC.

*Counterclaimant*

*-against-*

CAPSTAR RADIO OPERATING COMPANY, INC. d/b/a  
WLTW LITE FM; CLEAR CHANNEL BROADCASTING,  
INC.; JOHN DOE, INC. 1; and JOHN DOE, INC. 2

*Counterdefendants*

-----X

Capstar Radio Operating Company, Inc., by its attorney, Martin S. Cole, replying to the answer  
and counterclaim of United Credit Adjusters, Inc., hereby alleges:

1. Capstar Radio Operating Company, Inc. ("Capstar") hereby denies each and every  
allegation of all counterclaims interposed against Capstar.

2. Capstar denies each and every allegation contained in Paragraphs 19 through 21 of the  
complaint.

3. United Credit Adjusters, Inc. ("United") was continuously in default in making payment  
to Capstar for the advertising services actually rendered by Capstar.

4. Capstar denies each and every allegation contained in Paragraphs 22 through 26 of the  
answer of United; and affirmatively alleges that United made repeated promises of payment; issued  
checks to Capstar which were returned unpaid, and failed to make said checks good and valid.

5. Capstar denies each and every allegation contained in Paragraphs 27 through 32 of the answer.
6. Capstar alleges that the "New Jersey" action was instituted by United merely as a tactical ploy to avoid and delay determination of its liability to Capstar.
7. United, having instituted its spurious action in the state courts of the State of New Jersey, is precluded from bringing a second action against Capstar, by the interposition of the "New Jersey" lawsuit, in Paragraphs 27 through 32 of the answer.
8. This court should not entertain jurisdiction over the counterclaims of United in this action.

AS AND FOR AN AFFIRMATIVE DEFENSE AND COUNTERCLAIM

9. The removal of this action to United States District Court and the interposition of the frivolous answer by United and its attorneys, constitute reckless, unethical and sanctionable conduct on their part.
10. Capstar demands that the court dismiss the answer of United, and that substantial damages and financial sanctions be awarded against United and, more specifically, its attorneys who have abetted and enabled United's conduct.

Plaintiff reserves the right to serve an amended reply herein, and to institute action in this court or otherwise against the individuals responsible for the acts described above.

Yours, etc.,



To: Baruch S. Gottesman, Esq.  
Attorney for United Credit Adjusters, Inc.  
654 Madison Avenue, Suite 1507  
New York, NY 10065-8404

MARTIN S. COLE (MC7246)  
Attorney for Capstar Radio  
Operating Company, Inc.  
110 Wall Street, 11<sup>th</sup> Floor  
New York, NY 10005-3817  
Phone: (212) 929-0606  
Fax: (212) 608-7266

Dated: May 14, 2008

The undersigned attorney, admitted to practice in this court hereby certifies that service of this reply was made by mail on May 14, 2008 upon United's attorney, Baruch S. Gottesman, at 654 Madison Avenue, Suite 1507, New York, NY 10065-8404.



MARTIN S. COLE (MC7246)  
Attorney for Capstar Radio  
Operating Company, Inc.  
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COPY

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